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FILED

SEP 21 2007

RICHARD W. GINSO
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

LAM THANH NGUYEN,

Defendant.

No. CR 07-70337 PVT

STIPULATION AND ~~PROPOSED~~
ORDER TO CONTINUE HEARING

Defendant and the government, through their respective counsel, hereby stipulate that, subject to the court's approval, the hearing date in the above-captioned matter, presently scheduled for Tuesday, October 2, 2007, at 9:30 a.m., be continued to Tuesday, October 30, 2007, at 9:30 a.m. The continuance has been requested because a resolution in the co-defendant's case is expected shortly, and its disposition may influence the disposition of this matter. Furthermore, defense counsel requires additional time to meet with her client to discuss a disposition.

The parties further agree and stipulate that time should be excluded from October 2, 2007 through and including October 30, 2007, for ongoing defense preparation, pursuant to Speedy

1 Trial Act, 18 U.S.C. §3161(h)(8)(A) and (B)(iv). Accordingly, the United States and the
2 defendant agree that granting the requested exclusion of time will serve the interest of justice and
3 outweigh the interest of the public and defendant in a speedy trial.
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7 DATED: September 19, 2007

SCOTT N. SCHOOLS
United States Attorney

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9 /s/
JEFFREY B. SCHENK
Assistant United States Attorney
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13 /s/
MARY CONN
Attorney for Defendant
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16 **ORDER**

17 The parties have jointly requested a continuance of the hearing set for October 2, 2007.

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19 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the hearing date
20 presently set for October 2, 2007 be continued to October 30, 2007 at 9:30 a.m. as well as the
21 period of delay from October 2, 2007, to and including October 30, 2007, be excluded for
22 purposes of Speedy Trial Act computations pursuant to 18 U.S.C. §3161.
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24 IT IS SO ORDERED.

25 DATED: 9-21/07

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RICHARD SEEBORG
UNITED STATES DISTRICT JUDGE